

Animal Control Advisory Board Minutes

September 21, 2016

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The Animal Control Advisory Board meeting was held at 4 p.m. at 777 E. Waterman, Wichita, KS 67202. Eight Board members and three City staff were present; approximately 20 citizens attended – most of which did not sign in.

Members Present

Teresa Burks
Chris Hagman
Judy Handley
Judy Hill
Stephanie Fisk McCurdy
Melodee Myers
Christy Rafferty
John Stevens

Staff Present

Capt. Brent Allredis – WPD
Lt. Joe Schroeder - WPD
Janet Johnson – City Manager's Office

Members Absent

Guests

Listed on last page

ORDER OF BUSINESS

Chair Stephanie McCurdy called the meeting to order. Minutes from the August 17 meeting were approved 7-0.

STAFF REPORTS

Lt. Joe Schroeder, Animal Control Supervisor, provided Shelter statistics for July and August.

July reclaims (animals picked up by their owner)

- Dogs – 131 – 31% of total intakes
- Cats – 5 – 1% of total intakes
- Other – 1 – 5% of total intakes
- Total reclaims 167 - 16%

August reclaims (animals picked up by their owner)

- Dogs – 102 – 32% of total intakes
- Cats – 5 – 2% of total intakes
- Other – 1 – 10% of total intakes
- Total reclaims 108 - 19%

July transfers (animals taken by KHS or other rescues)

- Dogs – 319 - 61% of total intakes
- Cats – 212 – 44% of total intakes
- Other – 10 – 50% of total intakes
- Total – 541 – 53% of total intakes

August transfers (animals taken by KHS or other rescues)

- Dogs – 180 - 57% of total intakes
- Cats – 124 – 53% of total intakes
- Other – 5 – 50% of total intakes

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- Total – 309 – 55% of total intakes

July euthanasia

- Dogs – 45 - 9% of total intakes
- Cats – 267 – 55% of total intakes
- Other – 9 – 45% of total intakes
- Total – 312 – 31% of total intakes

August euthanasia

- Dogs – 36- 11% of total intakes
- Cats – 105 – 45% of total intakes
- Other – 4 – 40% of total intakes
- Total – 145 – 26% of total intakes

Lt. Schroeder reported there are three Animal Control Staff members serving on ACAB sub-committees – Dennis Graves is on the dangerous dog committee; Drew Bessey is on the spay-neuter committee and Lt. Schroeder is on the data collection committee.

Current Animal Control projects include:

- The use of volunteers – staff have completed the waiver and it has been cleared by the Law Department. Staff is now reviewing what types of tasks would be appropriate for volunteers and what kind of criteria will be used to select volunteers. They hope to have the program in place by the end of the year.
- Cameras and security – the Shelter is in the process of an equipment upgrade
- Dog attack in the dog park near the Humane Society – a woman had her animals, as well as those belonging to her significant other – for a total of seven animals in a very small car. The dogs wanted to go after a small dog at the park and the owner tried to restrain them and they turned on her. She received multiple bites and was treated by EMS on scene. Six of the seven dogs were placed in quarantine as it wasn't possible to tell which ones bit her. A small Chihuahua was not placed in quarantine.
- Request for investigation on FB posting of pit bull puppies for sale. **Lt. Schroeder** said upon investigation it was discovered the FB poster lives in Kansas City and it's very possible this person never even had any puppies and was simply seeking attention.

COMMITTEE REPORTS

Spay Neuter Committee

Teresa Burks, committee chair, reported they have looked at different aspects of the spay-neuter issue. They want to study the local data closer, but at this point believe they will be focusing on two primary issues – pit bulls and cats. They also want to identify which Council Districts are having the largest issues so they can target geographic areas.

Dangerous Dog Committee

John Stevens, committee chair, said they met on Sept. 14. He said in 2014, Wichita was #6 in the nation for postal carriers getting dog bites; in 2015 Wichita was #15. He said he and George

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Theoharis, another committee member, met with the Post Master, who is also very concerned about the number of dog bites. He said they spent the first meeting identifying the problem. He thinks the City Ordinance is okay, but there may be some procedures that can be improved and more staff may be needed. He said it is an absolute necessity that the dog bites in Wichita be reduced. **Chris Hagman, vice chair**, said they want to look at increasing accountability. He said if dog owners are more responsible and held accountable it will correlate with fewer dog bites. **Stevens** said they want to look at what the cost of dog bites is locally.

He said the Post Master told them the USPS in Wichita is now testing the use of an air horn to deter aggressive dogs. **Melodee Myers, Board member and postal carrier**, said she is using the air horn and she has found it to be very effective.

Stevens said when a dog is deemed dangerous, the owner is required to post a sign stating there is a dangerous dog on the property. He said someone needs to follow up and make sure the owner has done that.

Burks posed the question -- would requiring dogs to be registered and microchipped help with reclaim and bite identification?

Stevens referred to several documents the committee is reviewing. **McCurdy** asked if he could make those available to the rest of the Board. **Stevens** said he would send them to Janet and she could distribute to the Board.

Data Collection Committee

Judy Handley, committee chair, said the committee met on Sept. 16. She reviewed the data requests that have been submitted thus far. Since Animal Control is going back to Chameleon software, more data will be available, but the data for the first portion of 2016 (when they were using Pet point) has to be downloaded back into Chameleon. Once that is complete, there will be more data options. **Handley** said if the Board has additional requests to let her know. **Stevens** said they would like to have a list of dangerous dog owners who have been required to obtain the \$100,000 insurance policy.

NEW BUSINESS

Animal Cruelty and Neglect

The Board was provided an agenda report, a copy of City Ordinance Sec. 6.04.035 A Cruelty to Animals, and a large copy of the Tufts Animal Care and Condition (TACC) scales for assessing body condition, weather and environmental safety, and physical care in dogs. **Lt. Schroeder** explained each case is evaluated on its own, on a case by case basis. The TACC is used as a tool.

Lt. Schroeder said Animal Control receives any number of cruelty and neglect complaints ranging from a lack of food, to an animal being left outside too much. He said the first thing an Animal Control Officer does upon arriving on scene is look at the animal's body condition. He said most of his ACOs are so familiar with the scale, they don't even have to look at it; they

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know exactly where an animal falls on the range. He said if the animal appears to be in danger, they will take possession of it and bring it in to the Shelter. He said if it's a #1 on the scale, no action is necessary; if it's a #2, some education could be warranted, and if it's a #3 or higher, the ACO then looks at the totality of the situation. This includes the environment, shelter, access to food and water, tethering, etc. He said if the ACO isn't able to make a determination, then a Supervisor will go out and assess the situation. He said if an ACO isn't immediately available to respond to a cruelty/neglect complaint, then they can send a police officer.

Burks asked if ACOs look at all five areas on the scale. She challenged the weather safety scale. She said a healthy dog with adequate shelter should be able to tolerate Kansas temperatures if it's acclimated. **Lt. Schroeder** said that's why they look at the totality of any given situation. He said if it's 83 degrees and a dog has access to shade and water, that scenario would be fine, but if it's 83 degrees and a dog is on a short tether in the middle of the yard with no water, then they would need to take action.

He said if Animal Control chooses to leave an animal and only do education with the owner, they will come back and do a re-check. He said if they find the same circumstances or conditions as they did the first time, they will then take the animal.

Myers asked how they handle abandoned animals. **Lt. Schroeder** said they will almost always take an abandoned animal, but they have to have legal access to the property. He said they can't take action based on assumption or guesses. He said they receive calls every day where people are claiming an animal has been abandoned and most often, it hasn't been. He gave an example of a call where they were told the people had been evicted and their animals left behind. He said they contacted a key holder at the bank, who gave them access to the property and they found that everything was still in place in the house, the lights were on, etc. The residents had not been evicted. He said he if they can't determine whether or not animals have truly been abandoned, ACOs will actually feed the animals until a determination can be made.

Christy Rafferty said she thought Animal Control has a great procedure in place where they use common sense instead of absolutes. She said it appears to be a lack of staffing issue rather than a procedural issue. **Burks** said she has seen animals that are loved and cared for that would fall into the 3 range because the owners need education. **Lt. Schroeder** agreed and said that is why there has to be some discretion on the part of Animal Control.

McCurdy asked the Board if it had any recommendation or suggested changes. She commented that the review of the actual procedure was very different than some of the things the Board had previously heard.

Stevens asked **Burks**, if as a veterinarian, she was comfortable with Animal Control's process in responding to cruelty and neglect calls. She said yes and commented that as a vet, she would like to see obese dogs treated the same as those that are emaciated because the owners who have

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obese dogs are actually doing them more harm. **Burks** also noted she likes the fact there is no black and white, each situation is evaluated on its own unique circumstances. **Lt. Schroeder** reiterated that the TACC scale is a valuable tool, but everything has to be taken into consideration. He said he feels like the current process is adequate, but they could use additional training, which has been scheduled. **McCurdy** asked what kind of training police officers have. Lt. Schroeder said if an Officer gets out on an animal situation where they aren't sure, they are good about contacting Animal Control and asking for direction.

Burks said she would make a motion that at this time, we have the laws, education processes and tools available to adequately assess cruelty and neglect cases and other than more staff, no changes are needed at this time.

McCurdy said she needed to move the discussion to the public.

Ken Lockwood asked how a citizen goes about getting their animal back if Animal Control has seized it. **Lt. Schroeder** said if criminal charges are filed, the Court will make the decision on if and how the citizen gets their animal back, or they will reach an agreement. He said often times criminal action isn't taken – those are typically situational cases where the pet owner may be homeless or may have lost their job; some type of event that made the person incapable of properly caring for their pet. In those cases, Animal Control can temporarily care for animals until the owner gets back on their feet.

Sarah Coffman asked how Animal Control deals with habitual offenders. She gave an example whereby someone has their animal seized due to neglect, and then they just go out and get another animal. She wanted to know if it's possible to put stipulations on someone such as, they can't own an animal for a year. **Lt. Schroeder** said Animal Control can only enforce the laws that are on the books; however, a stipulation would be something that the prosecutor or Judge could address. She then wanted to know if that is occurring – is the Judge doing this where appropriate? **Lt. Schroeder** said he hasn't been in the position long enough to make a determination on that. He said those are things that could be written into the ordinance, but the Judge has a lot of leeway on how he handles it.

A citizen asked if Animal Control either picks up or has an animal that obviously isn't well cared for and is emaciated, do they ever issue a ticket to the owner when they come to pick up the dog? Or is there anything they can do? **Lt. Schroeder** said they can do a conditional release; they just did one recently where they told the owner they had 24 hours to get the dog to a vet and they were required to bring back proof that they had done so. If the owner doesn't comply, Animal Control can go back on a re-check and seize the animal if conditions haven't improved. In terms of issuing a citation, he said it depends on how long the animal has been gone. If it's been gone three months, then to cite the owner because the animal is emaciated probably isn't very fair. If it's only been gone two days and it is emaciated, then yes, more than likely they will be cited. The citizen wanted to know the owner of an emaciated dog just wanted to sign it over rather than

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get it out, could they still be cited. **Lt. Schroeder** said yes, and they can still be charged for the boarding of the animal.

George Theoharis asked if the three new Board members would introduce themselves; **Melodee Myers, Judy Hill** and **Christy Rafferty** did so.

Ken Lockwood asked how Animal Control determines if a dog is acclimated. A discussion followed on different breeds of dogs and the types of weather conditions they can tolerate.

Amy Hegestad asked if there is a hotline for cruelty cases. **Lt. Schroeder** said to call the animal control dispatch number; after 5 p.m. call 911. The 911 dispatcher will then contact the ACO on duty.

Judy Hill asked if increasing the fines would help; she said money gets people's attention. **Lt. Schroeder** said the Judge is provided the offender's criminal history, and he or she can then increase the fine based on that. **Janet Johnson** clarified that in Municipal Court, violators can pay as little as \$5 a month and remain in compliance. **Lt. Schroeder** said if it's a severe cruelty case, it can be charged as a felony in District Court; the fines are steeper there and violators are required to pay their fines.

Hill asked what a citizen can do to get the laws changed. **Lt. Schroeder** said they can talk to their Council representative. He said this Board would present their recommendations to Capt. Allred and the Chief of Police; if the Chief endorsed the changes, the Law Department would be engaged to write the ordinance changes and then Council would vote on it.

Stevens wanted to know if other communities have the same challenges with Municipal Court where they can only collect \$5 a month. **Lt. Schroeder** said in Kansas, all Municipal Courts are pretty much the same.

Hill said she recently visited the Animal Shelter in San Diego, CA, and they changed their laws so the majority of the animal offenses are felonies. **McCurdy** asked if Hill could get the information from San Diego on what they did; she said she would try. **Stevens** said they may need to talk to the State Legislators and **Lt. Schroeder** agreed stating that State Statutes can only be changed through the State Legislature.

Action Taken: McCurdy/Hill made a motion to bring the discussion back to the next meeting. Motion passed 8-0.

Public Education Woofstock booth

KHS will provide WAS and Wichita Animal Control Advisory Board, a 10 x 10 booth at Woofstock including a table. The event is October 1 from 9:30 – 3:00. **Burks** suggested several options for literature. **Shonda Koob** from Midwest Single Source offered to do the printing free of charge. A sign-up sheet for Board members was passed around.

Action Taken: Burks and Hill agreed to meet with Koob and design the literature.

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Citizen concern regarding dog parks

The Board reviewed the following e-mail from a citizen asking the Board to consider an age restriction at dog parks.

Please, is there any possible way to pass a rule limiting human attendance at city dog parks to ages 12 and over? Please understand I love kids. I'm a public school teacher. The fact is it's child endangerment regardless of parental vigilance in supervising the little one. Dogs unused to small children (such as my 105lb GSD and 70lb GSD mix) just don't know what to make of these little creatures with unpredictable fast movements so similar to prey. I always just leave when someone shows up with a toddler and "Ok go pet the doggies! Ohhh how cute!" No, it's not cute. It's dangerous, and I couldn't bear to witness a little one getting mauled at the dog park. We would like to think all the dogs brought to the park are well trained and easy going... those of us who frequent the park know this simply isn't so. Please consider adding this to the already burdensome list of park regulations.

Burks said she agreed with the citizen, although she thought the age 10 instead of 12 might be more appropriate; she said she would like for the Board to consider the item. **Burks** also brought up the danger of small children being exposed to round worm at dog parks.

Action taken: McCurdy/Burks made a motion to hear this as an agenda item at the next meeting including any incident information that WPD has available. Motion passed 8-0.

By-laws revisions

Janet Johnson, City Manager's Office, provided electronic copies of the recommended changes to the Board members on Sept. 12th. With the changes, the By-laws are now aligned with City Ordinances. **McCurdy** questioned having an even number of Board members. **Burks** noted that McCurdy needs to name a Pro Tem.

Action taken: Burks/McCurdy made a motion to accept the By-laws revisions with the provision that in the event of a tie, the Chair will cast the deciding vote. Motion passed 8-0.

PUBLIC AGENDA

Public comments and questions:

Lonny Wright wanted to know if there was a special meeting held on Sept. 12th; if that was how the Board saw the proposed revisions to the by-laws. **McCurdy** said there was not a special meeting, the by-laws revisions were e-mailed to the Board.

Kevin Barnes from Country Cats Rescue talked about the benefits of TNR (trap, neuter, release) and said he would like for Wichita to adopt a feral friendly program.

Brenda Penney talked about the challenges that she experiences living in a neighborhood with an active feral cat colony.

Adjourned

The next meeting will be held at 4 p.m. on Wednesday, Oct. 19th, 2016, at 777 E. Waterman, Wichita, KS 67202.

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Guests

Debra Miller Stevens
Arlene Pratkorosh
Donna Wirth
Shonda Koob
George Theoharis
Ken Lockwood
Kevin Barnes
Lonny Wright
Sarah Coffman
Cheryl Taskinen
Brenda Penney
Jessica Sherwood
Amy Hegstad